**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Cr.Misc. No.24245 of 2008**
**BIRLAL SAH**
**Versus**
**STATE OF BIHAR & ANR**
**----------**

2. 16.07.08. Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 335/2007, registered under Section 498 A of the Indian Penal Code.

It is submitted on behalf of the learned counsel for the petitioner that on perusal of the allegation made in the complaint petition that the petitioner happens to be the husband of the complainant and there is an allegation against the petitioner of causing atrocities due to further demand of dowry after marriage. It is further submitted that the petitioner is always ready to keep her with him with all dignity and comfort, if she desire so, for this reason petitioner filed Matrimonial petition under Section 9 of Hindu Marriage Act and several times notices have been issued to the name of the complainant for restoration of conjugal rights, as stated in paragraph 8 of the petition. It is further submitted that the petitioner went to his sasural to take the complainant-wife but he was assaulted by his sasural people and the complainant was not ready to live with him.

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Considering the above submissions and on perusal of the allegations levelled in the complaint petition as well as averments made in the petition, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner namely; Birlal Sah shall be released on bail on furnishing bail bond of Rs. 10,000/-(Ten

thousand) with two sureties of the like amount each, to the satisfaction of the Sub-divisional Judicial Magistrate, Sikarahana at East Champaran at Motihari, in connection with Complaint Case No. 335/2007, on the conditions as laid down under Sub Section 2 of Section 438 of Code of Criminal Procedure.

**M. Pal.** **(Shailesh Kumar Sinha,J)**

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